

1 Amend 2 Cal. Code Regs. section 18951:

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3 **§18951. Surplus Funds.**

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5 For purposes of Government Code section 89519:

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7 (a) Campaign funds raised after January 1, 1989, under the control of a candidate  
8 or elected officer shall be considered surplus campaign funds on the following dates:

9 (1) Incumbent Candidates: The date on which an incumbent candidate leaves any  
10 elective office for which the campaign funds were raised, or, if the candidate is defeated  
11 for reelection, the end of the postelection reporting period following his or her defeat,  
12 whichever is later. An incumbent candidate who wishes to use funds for a future election  
13 must transfer those funds to a new committee for a future election ~~prior to~~ no later than  
14 this date.

15 (2) Non-Incumbent Defeated and Withdrawn Candidates: The end of the  
16 postelection reporting period following the election in which the candidate was defeated  
17 or from which the candidate withdrew. A defeated non-incumbent candidate or candidate  
18 who withdraws from an election who wishes to use funds for a future election must  
19 transfer those funds to a new committee for a future election ~~prior to~~ no later than this  
20 date.

21 (3) Deceased Candidates: Funds belonging to a candidate who dies while in office  
22 or while running for office shall become surplus on the earlier of either June 30 or  
23 December 31 following the candidate's death.

24 (b) The "end of the postelection reporting period" means June 30 with respect to  
25 elections occurring in the first six months of the calendar year and December 31 for  
26 elections occurring in the latter six months of the calendar year.

1 (c) Campaign funds are "raised" at the time the funds are received, as disclosed on  
2 the candidate's campaign statements pursuant to 2 Cal. Code Regs. section 18421.1.

3 (d) Campaign funds raised on or before January 1, 1989, which have been commingled  
4 with campaign funds raised after January 1, 1989, are presumed to have been raised after  
5 January 1, 1989.

6 (e) Except as provided by Government Code section 85315, campaign funds  
7 raised by: (1) a committee, other than a candidate controlled committee; (2) a candidate  
8 controlled ballot measure committee; or (3) a candidate on or before January 1, 1989, that  
9 are not commingled with funds raised after that date are not considered surplus funds for  
10 purposes of this section and are governed by Government Code sections 89511 through  
11 89518 and 89520 through 89522.

12 NOTE: Authority cited: Section 83112, Government Code.  
13 Reference: Section 89519, Government Code.

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